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8 IN THE UNITED STATES DISTRICT COURT
9 FOR THE NORTHERN DISTRICT OF CALIFORNIA

10) No. CR 08-90417 MISC JCS
11 IN THE MATTER OF THE)
12 EXTRADITION OF ALFONSO) STIPULATION AND [PROPOSED]
13 SOSA CORDERO) ORDER SHORTENING TIME FOR
HEARING ON MOTION TO DISMISS
14 _____)

On August 27, 2008, Mr. Alfonso Sosa Cordero made his initial appearance on a complaint for provisional arrest with a view toward extradition to Mexico. Mr. Cordero is presently in custody. The Court set a bail hearing for September 5, 2008, at 10:30 a.m. According the complaint, the underlying arrest warrant in Mexico issued on June 20, 2001, over seven years ago. Article 7 of the extradition treaty with Mexico explicitly provides: "Extradition shall not be granted when the prosecution or the enforcement of the penalty for the offense for which extradition has been sought has become barred by lapse of time according to the laws of the requesting or requested Party."

Due to the lapse of time in this case, Mr. Sosa Cordero will file on August 29, 2008, a motion to dismiss the complaint under Article 7 of the extradition treaty. As this motion is pertinent to the issue of bail, Mr. Sosa Cordero respectfully requests, and the parties stipulate, the Court shorten time for hearing on that motion, so that it might be heard at that same appearance, on September 5, 2008, at 10:30 a.m. The government will file an opposition brief by Wednesday, September 3, 2008, and Mr. Sosa Cordero shall file any reply brief by Thursday, September 4, 2008.

IT IS SO STIPULATED.

JOSEPH RUSSONIELLO
United States Attorney

DATED: August 29, 2008

/S/
ALLISON DANNER
Assistant United States Attorney

DATED: August 29, 2008

/S/
DANIEL P. BLANK
Assistant Federal Public Defender
Attorney for Alfonso Sosa Cordero

IT IS SO ORDERED.

DATED:

JOSEPH C. SPERO
United States Magistrate Judge